

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
WEST PALM BEACH DIVISION

VOX BUSINESS TRUST, LLC,  
a Massachusetts Limited Liability Company,

Plaintiff,

CASE NO.: 9:24-cv-80028- AMC

v.

GLOBAL DIGITAL SOLUTIONS, INC.,  
a New Jersey Corporation,

Defendant.

/

**DEFENDANT'S RESPONSE TO  
PLAINTIFF'S MOTION TO COMPEL (DOC. 34)**

Defendant, Global Digital Solutions, Inc. (“GDSI” and/or “Defendant”) by and through their undersigned counsel, hereby files this Response to Plaintiff’s Motion to Compel (Doc. 34) and as grounds therefore states the following:

Defendant is in a unique situation of being a publicly traded entity with no cash flow or assets other than an interest in a judgment against a foreign entity that it is currently trying to collect upon. In fact, this dispute is about Plaintiff’s right to payments associated with the collections from this judgment and other payments to support the funding of these collection efforts.

Defendant’s efforts to collect the outstanding judgment includes the

participation and funding of third-party entities who are not parties to this litigation. Unfortunately, almost all of the documents requested by Plaintiff in its Request for Production are in the possession and control of these third-parties, and Defendant has requested the responsive documents from these entities. Unfortunately, to date, Defendant has not received any such documents from these third-parties. Plaintiff is aware of these third-parties, but has chosen not to subpoena such entities.

Another situation contributing to Defendant's failure to produce documents or otherwise respond to discovery is the fact that Defendant's former CFO, Jerome Gomolski, was diagnosed with cancer prior to the service of the discovery at issue in Plaintiff's Motion to Compel. Mr. Gomolski was in possession of many of the documents requested by Plaintiff and, unfortunately, was not able to produce any records. Mr. Gomolski then passed away earlier this year and his estate has refused to cooperate with Defendant by turning over any documents.

In an effort to remedy this situation, Defendant has hired a forensic accountant to recreate many of the company's financial records. To date, such records have not been completed. With respect to the Requests for Admissions, the three requests that Plaintiff seeks a supplemental response are dependent

upon the efforts of the newly retained accountant (which are not completed).

Defendant has no other assets to pay other professions to improve this situation.

Dated: September 27, 2024

THE LILES FIRM, P.A.

*/s/ Robert B. George*

---

Robert B. George, Esq.  
Florida Bar No. 108995  
50 North Laura Street, Suite 1200  
Jacksonville, FL 32202  
Tel: (904) 634-1100 / Fax: (904) 634-1234  
E-mail: [rgeorge@thelilesfirm.com](mailto:rgeorge@thelilesfirm.com)  
[aperry@thelilesfirm.com](mailto:aperry@thelilesfirm.com)

*Counsel for Defendant, Global Digital Solutions, Inc.*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via electronic mail via the CM/ECF portal to the following attorneys of record this 27<sup>th</sup> day of September, 2024:

Robert W. Wilkins, Esq.  
Travis J. Foels, Esq.  
Jones Foster P.A.  
505 S. Flagler Drive, Suite 1100  
West Palm Beach, FL 33401  
*Counsel for Plaintiff, Vox Business Trust, LLC*

*/s/ Robert B. George*

---

Attorney